



Attorney Docket No. 502401.081366 (2401-19)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ronald J. Nienhuis
Serial No.: 09/735,203
Filed: December 12, 2000
For: Method for Redirecting a Network Communication
Art Unit: 2141
Examiner: Adnan M. Mirza

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Mail Stop: Petitions
Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully petition the Commissioner to withdraw the holding of abandonment in the above-captioned application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 10, 2005.

Ronald E. Brown

Attorney

Signature

March 10, 2005

Date of Signature

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-1145, Order No. 099998.000069.

The application went abandoned because Applicant did not receive the Office Action mailed on June 25, 2004. (Exhibit A). The Office Action was returned to the U.S.P.T.O. on July 7, 2004 as evidenced by the date stamp on the first page. A Notice of Abandonment has not been received, however, the six-month statutory period for responding to the Office Action was December 25, 2004. Applicant notes that on or about May 25, 2004, a change of address spreadsheet was filed with the U.S.P.T.O. listing the new correspondence address as 7 Times Square, New York, NY 10036. (Exhibit B). The address on the Office action, mailed a month later, was 711 Third Ave., New York, NY 10017. A copy of the Office Action was obtained from public Patent Application Information Retrieval (PAIR) after the date of abandonment of this application.

As required by MPEP §711.03(c), Applicant's representative attests to the fact that the Office communication dated June 25, 2004 was not received as demonstrated by a search of the file jacket and docket records. A declaration by the Applicant's representative is filed herewith.

Applicant respectfully submit that the U.S.P.T.O. erred in using the incorrect correspondence address after Applicant timely filed a change of address form. The new correspondence address on the change of address form should have been used instead of the previously listed address.

Applicants respectfully request that the holding of abandonment in this patent application be withdrawn for the reasons set forth above. No fee is deemed necessary in connection with the filing of this Petition. However, if any fee is due, the amount of such fee may be charged to Deposit Account No. 50-1145, Order No. 099998.000069.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald E. Brown", is written over a horizontal line.

Ronald E. Brown
Registration No. 32,200

Attorney for Applicants

Pitney Hardin LLP
7 Times Square
New York, New York 10036-7311
212-297-5800



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,203	12/12/2000	Ronald J. Nienhuis	2401-19	4274

7590 06/25/2004
Gerald Levy, Esq.
PITNEY, HARDIN, KIPP & SZUCH LLP
711 Third Avenue
New York, NY 10017-4059

EXAMINER

MIRZA, ADNAN M

ART UNIT	PAPER NUMBER
----------	--------------

2141

3

DATE MAILED: 06/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

JUL 07 2004

Technology Center 2100

Office Action Summary	Application No.	Applicant(s)	
	09/735,203	NIENHUIS, RONALD J.	
	Examiner	Art Unit	
	Adnan M Mirza	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter et al (U.S. 5,987,506) and Voit (U.S. 6,205,139).

As per claim 1 Carter disclosed in a data communication system of the type wherein a first information-processing device communicates with a second information-processing device, the improvement comprising including additional data in a request from said first information-processing device to said second information-processing device wherein, in accordance with said additional data (col. 4, lines 16-37),

However Carter did not disclose in detail said second information-processing device effects communication between said first information-processing device and one of a plurality of third information-processing devices.

In the same field of endeavor Voit disclosed to allow data communication of HLR data registered in the ISCPs 240, 250, to visitor location registers in remote MCs, the network further includes a hub STP 253. The hub which currently carries IS-41 data messaged between existing MCs outside the PCS service area.

Art Unit: 2141

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have incorporated to allow data communication of HLR data registered in the ISCPs 240, 250, to visitor location registers in remote MCs, the network further includes a hub STP 253. The hub which currently carries IS-41 data messaged between existing MCs outside the PCS service area. as taught by Voit in the method of Carter to avoid remote accessing complications and improve the communication among the users in a network.

3. As per claim 2 Carter-Voit disclosed wherein said additional data indicates a geographic location of said first information -processing device (Voit, col. 16, lines 39-46).

4. As per claim 3 Carter-Voit disclosed wherein said additional data does not exceed one byte in length (Carter, col. 10, lines 51-62).

5. As per claim 4 Carter-Voit disclosed wherein communication between said first information processing device, said second information-processing device, and said plurality of third information-processing devices is performed over the internet (col. 4, lines 16-37).

6. As per claim 5 Carter-Voit disclosed wherein communication between said first information-processing device, said information-processing device, and said second information-processing device, and said plurality of third information-processing devices is performed using TCP/IP format (Voit, col. 26, lines 31-44).

7. As per claim 6 Carter-Voit disclosed wherein said second information-processing device includes a database which includes addresses of each of said plurality of third information-processing devices corresponding to said additional data (Carter, col. 6, lines 23-36).

Conclusion

8. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (703)-305-4633.

9. The examiner can normally be reached on Monday to Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dharia Rupal can be reached on (703)-305-4003. The fax for this group is (703)-746-7239.

10. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label "PROPOSED" or "DRAFT");

Art Unit: 2141

(703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED PROCEDURE"),

(703)-746-7238 (For After Final Communications).

11. Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks Washington, D.C.20231

Or faxed to:

Hand-delivered responses should be brought to 4th Floor Receptionist, Crystal Park II,
2021 Crystal Drive, Arlington, VA 22202.

AM

Adnan Mirza

Examiner


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER

Notice of References Cited

Application/Control No.

09/735,203

Applicant(s)/Patent Under
Reexamination
NIENHUIS, RONALD J.

Examiner

Adnan M Mirza

Art Unit

2141

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,205,139 B1	03-2001	Voit, Eric A.	370/389
	B	US-5,987,506 A	11-1999	Carter et al.	709/213
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Customer Number:

29540

< Enter six digit Customer
Number

Customer Number Upload Spreadsheet

NOTE: Bold X's indicate where data is entered. You can enter data for each application or patent starting on line 16. Insert as many additional rows as required immediately below row 16 in order to add more application or patent updates. Do not skip rows between entries.

Pitney Hardin LLP

7 Times Square

New York, NY 10036-7311

Rows 3 through 9 are for entering customer address.

Note: Customer Number and address are only displayed on page one.

Use no headers or titles on subsequent pages.

Patent Number	Application Number	Patent Date	Filing Date	Change Correspondence Address?	Blank	Change Fee Address?
(7 Digits w/o ",")	(8 digit w/o "/" or ",")	mm/dd/yy	mm/dd/yy	yes/no		yes/no
				YES or NO		YES or NO
6202651	09413429	03/20/01	10/06/99	No		No
6242174	07752639	06/05/01	10/07/91	Yes		Yes
5449123	08133650	09/12/95	10/07/93	Yes		Yes
	09958587		10/09/01	Yes		Yes
6645033	09889384	11/11/03	10/09/01	No		No
	10474702		10/09/03	Yes		Yes
6546315	09685176	04/08/03	10/10/00	Yes		Yes
	09975766		10/10/01	Yes		Yes
	09974400		10/10/01	Yes		Yes
	09975345		10/10/01	Yes		Yes
	10683726		10/10/03	Yes		Yes
	10683200		10/10/03	Yes		Yes
	09686307		10/11/00	Yes		Yes
D462139	29149572	08/27/02	10/12/01	Yes		Yes
	29149571		10/12/01	Yes		Yes
6227065	09415618	05/08/01	10/12/99	Yes		Yes
D430911	29095019	09/12/00	10/14/98	Yes		Yes
	10686424		10/15/03	Yes		Yes
5381700	07961477	01/17/95	10/15/92	Yes		Yes
D425853	29095046	05/30/00	10/15/98	Yes		Yes
5427322	07962132	06/27/95	10/16/92	Yes		Yes
5649772	08544276	07/22/97	10/17/95	Yes		Yes
6216986	09420261	04/17/01	10/18/99	No		No
	09688503		10/19/00	Yes		Yes
	10274566		10/21/02	Yes		Yes
6173665	09176590	01/16/01	10/21/98	Yes		Yes
	09422594		10/21/99	Yes		Yes
	10021373		10/22/01	Yes		Yes
	10277489		10/22/02	Yes		Yes
6199673	09177029	03/13/01	10/22/98	No		No
	09242482		10/22/99	Yes		Yes
6317939	09694158	11/20/01	10/23/00	No		No
6350195	09694469	02/26/02	10/23/00	Yes		Yes
	10037826		10/23/01	Yes		Yes
4754101	08922409	06/28/88	10/23/86	Yes		Yes
5133103	07601891	07/28/92	10/23/90	Yes		Yes
6354738	09695176	03/12/02	10/24/00	No		No

	10258426		10/24/02	Yes	Yes
	10279325		10/24/02	Yes	Yes
	10693306		10/24/03	Yes	Yes
5497002	08327995	03/05/96	10/24/94	Yes	Yes
5628410	08547896	05/13/97	10/24/95	Yes	Yes
5819495	08736258	10/13/98	10/24/96	Yes	Yes
6600009	08957414	07/29/03	10/24/97	Yes	Yes
	10280704		10/25/02	Yes	Yes
4558889	06665391	12/17/85	10/26/84	Yes	Yes
	09381771		10/26/99	Yes	Yes
4530185	06436968	07/23/85	10/27/82	Yes	Yes
5262848	07783367	11/16/93	10/28/91	Yes	Yes
	10695676		10/29/03	Yes	Yes
	60515869		10/29/03	Yes	Yes
	09430460		10/29/99	Yes	Yes
6155193	09367548	12/05/00	10/29/99	Yes	Yes
	10476424		10/30/03	Yes	Yes
4627844	06792904	12/09/86	10/30/85	Yes	Yes
4730489	06925817	03/15/88	10/30/86	Yes	Yes
	09184094		10/30/98	Yes	Yes
5623815	08550933	04/29/97	10/31/95	Yes	Yes
6506048	10016186	01/14/03	11/01/01	Yes	Yes
6595217	08551576	07/22/03	11/01/95	No	No
6430647	09184379	08/06/02	11/02/98	No	No
6205516	09184173	03/20/01	11/02/98	No	No
	10416872		11/03/03	Yes	Yes
D 405122	29030613	02/02/99	11/03/94	Yes	Yes
5597073	08553000	01/28/97	11/03/95	Yes	Yes
5744801	08552612	04/28/98	11/03/95	Yes	Yes
6171014	09184992	01/09/01	11/03/98	No	No
	10287112		11/04/02	Yes	Yes
	60516994		11/04/03	Yes	Yes
4915251	07267700	04/10/90	11/04/88	Yes	Yes
5753256	08637791	05/19/98	11/04/94	Yes	Yes
5938139	08964816	08/17/99	11/05/97	Yes	Yes
6032437	09187103	03/07/00	11/05/98	No	No
6085491	09187282	07/11/00	11/05/98	No	No
6384748	09434693	05/07/02	11/05/99	Yes	Yes
D 379745	29046034	06/10/97	11/06/95	Yes	Yes
	08718527		11/06/97	Yes	Yes
	60518194		11/07/03	Yes	Yes
5253730	07789523	10/19/93	11/07/91	Yes	Yes
	10008752		11/08/01	Yes	Yes
	10008941		11/08/01	Yes	Yes
	10010475		11/08/01	Yes	Yes
6563044	10006755	05/13/03	11/08/01	Yes	Yes
5727676	08747067	03/17/98	11/08/96	Yes	Yes
6209049	09184602	03/27/01	11/08/98	No	No
	60163978		11/08/99	Yes	Yes
6254547	09436798	07/03/01	11/08/99	Yes	Yes
6176475	09436797	01/23/01	11/08/99	No	No
6084217	09281099	07/04/00	11/09/98	No	No
6299720	09436021	10/09/01	11/09/99	No	No
6035922	09101660	03/14/00	11/10/98	Yes	Yes
	29193877		11/12/03	Yes	Yes
5475081	0851474	12/12/95	11/12/93	Yes	Yes
5825392	08747955	10/20/98	11/12/96	Yes	Yes
	10044858		11/13/01	Yes	Yes
6652621	10049541	11/25/03	11/13/01	Yes	Yes
D487698	29170900	03/23/04	11/13/02	Yes	Yes
	29193805		11/13/03	Yes	Yes

	29193879		11/13/03	Yes	Yes
	29193880		11/13/03	Yes	Yes
	29193795		11/13/03	Yes	Yes
	29193878		11/13/03	Yes	Yes
D 388665	29046305	01/06/98	11/13/95	Yes	Yes
5974758	08748930	11/02/99	11/14/96	Yes	Yes
	60520482		11/15/03	Yes	Yes
5245442	07614210	09/14/93	11/15/90	Yes	Yes
6431045	09380342	08/13/02	11/15/99	Yes	Yes
	09439771		11/15/99	Yes	Yes
4978163	07437748	12/18/90	11/16/89	Yes	Yes
6322916	09242747	11/27/01	11/17/99	Yes	Yes
6442112	09195123	08/27/02	11/18/98	Yes	Yes
6048933	09196036	04/11/00	11/18/98	Yes	Yes
	60427400		11/19/02	Yes	Yes
	10299302		11/19/02	Yes	Yes
	10717860		11/19/03	Yes	Yes
4747621	06932726	05/31/88	11/19/86	Yes	Yes
5947846	08952396	09/07/99	11/19/97	Yes	Yes
	09989566		11/20/01	Yes	Yes
	08974807		11/20/97	Yes	Yes
	09991400		11/21/01	Yes	Yes
	10301308		11/21/02	Yes	Yes
	10478984		11/21/03	Yes	Yes
	10478762		11/21/03	Yes	Yes
	09554839		11/21/97	Yes	Yes
5907733	08975691	05/25/99	11/21/97	Yes	Yes
	10296489		11/22/02	Yes	Yes
6192740	08522390	02/27/01	11/22/95	Yes	Yes
6667002	09443265	12/23/03	11/22/99	No	No
6289897	09142109	09/18/01	11/23/98	No	No
	10479101		11/24/03	Yes	Yes
	10479097		11/24/03	Yes	Yes
6460666	09199994	10/08/02	11/24/98	No	No
	10303481		11/25/02	Yes	Yes
	10721304		11/25/03	Yes	Yes
	10250424		11/25/03	Yes	Yes
5850357	08737780	12/15/98	11/25/96	Yes	Yes
	09995276		11/26/01	Yes	Yes
	09994977		11/26/01	Yes	Yes
	29171668		11/26/02	Yes	Yes
	29171665		11/26/02	Yes	Yes
	10304620		11/26/02	Yes	Yes
	10722963		11/26/03	Yes	Yes
5128766	07618713	07/07/92	11/27/90	Yes	Yes
5820625	08755569	10/13/98	11/27/96	Yes	Yes
4898022	07261830	02/06/90	11/28/88	Yes	Yes
	09725991		11/29/00	Yes	Yes
6738775	09725597	05/18/04	11/29/00	Yes	Yes
6363743	09701551	04/02/02	11/29/00	Yes	Yes
6517660	09726731	02/11/03	11/30/00	No	No
	09701662		11/30/00	Yes	Yes
	09998502		11/30/01	Yes	Yes
6612796	09998065	09/02/03	11/30/01	No	No
6185843	09380112	02/13/01	11/30/99	No	No
6361261	09728400	03/26/02	12/01/00	No	No
	60526129		12/01/03	Yes	Yes
5571210	08347331	11/05/96	12/02/94	Yes	Yes
	09203808		12/02/98	Yes	Yes
6256835	09453269	07/10/01	12/02/99	Yes	Yes
	09452714		12/02/99	Yes	Yes

	10310080		12/04/02	Yes	Yes
	10310107		12/04/02	Yes	Yes
	10727959		12/04/03	Yes	Yes
5150618	07622176	09/29/92	12/04/90	Yes	Yes
	07803009		12/04/91	Yes	Yes
6494537	09701932	12/17/02	12/05/00	Yes	Yes
5910320	08652439	06/08/99	12/05/94	Yes	Yes
6564843	09731232	05/20/03	12/06/00	No	No
6726637	10008642	04/27/04	12/06/01	Yes	Yes
	10313839		12/06/02	Yes	Yes
	10313880		12/06/02	Yes	Yes
5527464	08350422	06/18/96	12/06/94	Yes	Yes
5921705	08727648	07/13/99	12/06/96	No	No
	09455718		12/07/99	Yes	Yes
	60527786		12/08/03	Yes	Yes
6634158	09207552	10/21/03	12/08/98	No	No
6092829	09207454	07/25/00	12/08/98	Yes	Yes
6110090	09207247	08/29/00	12/08/98	No	No
5514220	07988196	05/07/96	12/09/92	No	No
5378434	08164635	01/03/95	12/09/93	Yes	Yes
4927078	07246816	05/22/90	12/11/87	Yes	Yes
6157872	08727557	12/05/00	12/11/96	Yes	Yes
	✓09735203		12/12/00	Yes	Yes
5163093	07625830	11/10/92	12/12/90	Yes	Yes
5100243	07626204	03/31/92	12/12/90	Yes	Yes
5570670	08571125	11/05/96	12/12/95	Yes	Yes
6422553	08989975	07/23/02	12/12/97	Yes	Yes
	10318993		12/13/02	Yes	Yes
5503858	08166707	04/02/96	12/13/93	Yes	Yes
5505963	08165350	04/09/96	12/13/93	Yes	Yes
6285387	09460656	09/04/01	12/13/99	Yes	Yes
6249303	09460657	06/19/01	12/13/99	Yes	Yes
	10737130		12/15/03	Yes	Yes
D434672	29097825	12/05/00	12/15/98	Yes	Yes
6131455	09212710	10/17/00	12/16/98	Yes	Yes
	10258327		12/17/02	Yes	Yes
6321946	09466382	11/27/01	12/17/99	No	No
	10481187		12/18/03	Yes	Yes
4693211	06810425	09/15/87	12/18/85	Yes	Yes
5657815	08574197	08/19/97	12/18/95	Yes	Yes
6135282	08993561	10/24/00	12/18/97	Yes	Yes
6243875	09216188	06/12/01	12/18/98	Yes	Yes

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ronald J. Nienhuis
Serial No.: 09/735,203
Filed: December 12, 2000
For: **Method for Redirecting a Network Communication**
Art Unit: 2141
Examiner: Adnan M. Mirza

DECLARATION

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

Ronald E. Brown does declare as follows:

1. That I am a member of the bar of the state of New York and counsel with the firm of Pitney Hardin LLP, (formerly Pitney, Hardin, Kipp & Szuch, LLP hereinafter collectively referred to as "the Pitney firm").
2. That I am registered to practice before the Patent and Trademark Office.
3. That I have been informed that an Office Action mailed June 25, 2004 for the above-identified application was never received.

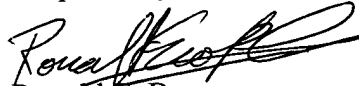
4. That I obtained a copy of the Office Action from public Patent Application Information Retrieval (PAIR) after the date of abandonment of this application.
5. That said copy obtained indicated that the communication had been addressed to “Gerald Levy, Esq., Pitney, Hardin, Kipp & Szuch LLP, 711 Third Avenue, New York, NY 10017-4059”.
6. That said copy of the Office Action was returned to the U.S.P.T.O. on or about July 7, 2004, as evidenced by a July 7, 2004 date stamp.
7. That a change of address form was filed with the U.S.P.T.O on or about May 25, 2004 changing the correspondence address to 7 Times Square, New York, NY 10036.
8. That said copy of the Office Action was mailed on June 25, 2004, a month after the change of address form was filed, to 711 Third Ave., New York, NY 10017, the previously listed correspondence address.
9. That I am familiar with the docketing procedures of the Pitney firm with respect to correspondence from the Patent and Trademark Office, which includes the entry of all such correspondence into the docketing software upon receipt from the Patent and Trademark Office prior to any other substantive action with respect to the correspondence.

10. That the docketing software does not indicate that any Office Action dated June 25, 2004, or any other date, was received for the above-identified application by the Pitney firm.

11. That attached hereto are true copies of the docket entries both for this application and for all Patent Office due dates for the Pitney firm on September 25, 2004 (with some information redacted to preserve client confidentiality).

12. That I have searched the file jacket and docket records of the Pitney firm for the above application and have found no indication that the Office Action mailed June 25, 2004 was ever received by the Pitney firm (other than by PAIR after the date of abandonment). It is respectfully submitted that the description of the Technology Center date stamp on the Office Action, as described in numbered paragraph 6 above, is highly persuasive evidence that the Office Action originally mailed on or about June 25, 2004 to the 711 Third Avenue address was thereafter returned by the Post Office to the U.S. Patent and Trademark Office.

Respectfully submitted,


Ronald E. Brown
Registration No. 32,200

Pitney Hardin LLP
7 Times Square
New York, New York 10036-7311
212-297-5800

Due Date List By Date

24-Sep-2004 To 26-Sep-2004

Due Date Indicator	Action Due Action Type	Case Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Attys
24-Sep-2004 Due Date Owner:	10 month status inquiry	[REDACTED] United States of America PHKS #: 35 Title: [REDACTED]	Published [REDACTED] Matter: [REDACTED]	10/479,097	24-Nov-2003	YK RNN GL
25-Sep-2004 Due Date Owner:	Application Status Check	[REDACTED] United States of America PHKS #: [REDACTED] Title: [REDACTED]	Transfer [REDACTED] Matter: [REDACTED]	10/396,004	25-Mar-2003	LSA
25-Sep-2004 Due Date Owner:	10 month status inquiry	[REDACTED] United States of America PHKS #: 3913-2 Title: [REDACTED]	Published [REDACTED] Matter: [REDACTED]	10/250,424	25-Nov-2003	GL YK RNN
25-Sep-2004 Due Date Owner:	10 month status inquiry	[REDACTED] United States of America PHKS #: [REDACTED] Title: [REDACTED]	Pending [REDACTED] Matter: [REDACTED]	10/721,304	25-Nov-2003	GL LSA
26-Sep-2004 Due Date Owner:	10 month status inquiry	[REDACTED] United States of America PHKS #: [REDACTED] Title: [REDACTED]	Pending [REDACTED] Matter: [REDACTED]	10/722,963	26-Nov-2003	GL REB

Wednesday, March 09, 2005

Due Date List By Date

24-Sep-2004 To 26-Sep-2004

Page: 2

Due Date Indicator	Action Due Action Type	Case Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Attys
26-Sep-2004	Annuity Due w/GP by 2 Mons	[REDACTED]	Granted	[REDACTED]	[REDACTED]	LSA
Due Date	Annuity Due w/Grace Period	Australia	[REDACTED]	609694	26-Jul-1989	
Owner:		PHKS #: [REDACTED]		Matter: [REDACTED]		
		Title: [REDACTED]				
		Remarks: [REDACTED]				